

7-12-07

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appn No.: **10/736,037**

Filed: **December 15, 2003**

Confirmation No. **4023**

Applicant(s): **Kincald et al.**

Title: **EDIBLE SPREAD COMPOSITION  
AND PACKAGED PRODUCT**

This document was electronically  
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EFS-Web.

Art Unit: **1761**

Examiner: **Carolyn A. Paden**

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Attorney Docket: **1410-77005**

Customer No.: **48940**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Request for Refund under 37 C.F.R. §1.26

Sir or Madam:

A request for a partial refund is respectfully requested based on 37 C.F.R. §1.26. On March 6, 2007, a Response to Office Action was filed in the above application with a Petition for Extension of Time. On March 12, 2007, a charge of \$450.00 was authorized for payment per our Deposit Account No. 06-1135 for the Petition for Extension of Time. On March 13, 2007, two additional charges for \$450.00 and \$2,160.00 were entered mistakenly to our Deposit Account for this Petition for a total of \$2,610.00 in excess. A copy of our PTO Account printout showing these two mistaken charges is attached as Exhibit A. The Commissioner is respectfully requested to refund this excess amount and to credit our Deposit Account No. 06-1135 in the amount of \$2,610.00.

Respectfully submitted,

Fitch, Even, Tabin & Flannery



Nada J. Ardeleanu  
Registration No. 54,965

Date: July 11, 2007

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# **Exhibit A**

	03/09 140	10569710	87441	8021	\$40.00	\$45,275.04	
	03/09 2	10932927	83437	1401	\$500.00	\$44,775.04	
	03/09 288	60824748	86744 8017	8021	\$40.00	\$44,735.04	
	03/09 92	11715138	7682/89909	1011	\$300.00	\$44,435.04	
	03/09 93	11715138	7682/89909	1111	\$500.00	\$43,935.04	
	03/09 94	11715138	7682/89909	1311	\$200.00	\$43,735.04	
	03/09 95	11715138	7682/89909	1202	\$550.00	\$43,185.04	
	03/09 101	10521012	8033-841163	1252	\$450.00	\$42,735.04	
	03/09 3462	10979672	83644	1251	\$120.00	\$42,615.04	
	03/09 3675	11560187	8276.88639	2311	\$100.00	\$42,515.04	
	03/09 3673	11560187	8276.88639	4011	\$75.00	\$42,440.04	
	03/09 3674	11560187	8276.88639	2111	\$250.00	\$42,190.04	
	03/09 3678	11560187	8276.88639	2051	\$85.00	\$42,125.04	
	03/09 3677	11560187	8276.88639	2201	\$100.00	\$42,025.04	
	03/09 3676	11560187	8276.88639	2202	\$675.00	\$41,350.04	
	03/09 618	11560187	8276.88639	8021	\$40.00	\$41,310.04	
	03/09 108	09615451	69444	2401	\$250.00	\$41,060.04	
	03/09 109	09615451	69444	2252	\$225.00	\$40,835.04	
	03/09 4319	11684168	86453/929	4011	\$75.00	\$40,760.04	
	03/09 4320	11684168	86453/929	2111	\$250.00	\$40,510.04	
	03/09 4321	11684168	86453/929	2311	\$100.00	\$40,410.04	
	03/12 18	10469612	7388/80618	1252	\$450.00	\$39,960.04	
	03/12 54	11639200	AC-7799/88346	1051	\$130.00	\$39,830.04	
	03/12 299	11639200	AC-7799(88346)	8021	\$40.00	\$39,790.04	
	03/12 2	11055347	83907	1251	\$120.00	\$39,670.04	
	03/12 3	10736037	77005	1252	\$450.00	\$39,220.04	
correct charge	-	03/12 265	11372287	7793/85955	8007	\$20.00	\$39,200.04
		03/12 204	11662334	8033-88413	1631	\$300.00	\$38,900.04
		03/12 205	11662334	8033-88413	1642	\$400.00	\$38,500.04
		03/12 206	11662334	8033-88413	1633	\$200.00	\$38,300.04
		03/12 4791	10420185	67527	1252	\$450.00	\$37,850.04
		03/12 89	PAYMENT		9203	\$50,000.00	\$87,850.04
mistaken charges	-	03/13 233	10736037	77005	1255	\$2,160.00	\$85,690.04
	-	03/13 304	10736037	77005	1252	\$450.00	\$85,240.04
		03/13 618	11069818	82558	1401	\$500.00	\$84,740.04
		03/13 649	11069818	82558	1253	\$1,020.00	\$83,720.04
		03/13 963	60894313	8042-87500	2005	\$100.00	\$83,620.04
		03/13 141	60894313	8042-87500	8021	\$40.00	\$83,580.04
		03/13 1019	11469278	P05060US0A/8225/85746	1051	\$130.00	\$83,450.04
		03/13 1020	11469278	P05060US0A/8225/85746	1253	\$1,020.00	\$82,430.04
		03/13 1371	60894336	8042-89618	2005	\$100.00	\$82,330.04
		03/13 658	77128641	7261-89790	7001	\$325.00	\$82,005.04
		03/13 196	60894336	8042-89618	8021	\$40.00	\$81,965.04
		03/13 1497	60894340	8042-90170	2005	\$100.00	\$81,865.04
		03/13 209	10794310	8276.85952	8021	\$40.00	\$81,825.04
		03/13 210	60894340	8042-90170	8021	\$40.00	\$81,785.04
		03/13 1648	11292053	7613/85644	1252	\$450.00	\$81,335.04

# Electronic Patent Application Fee Transmittal

Application Number:	10736037
Filing Date:	15-Dec-2003
Title of Invention:	Edible spread composition and packaged product
First Named Inventor/Applicant Name:	Carrie Melinda Kincaid
Filer:	NADA J. ARDELEANU/Tracy Ibarra
Attorney Docket Number:	77005

Filed as Large Entity

## Utility Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				
Extension - 5 months with \$0 paid	1255	1	2160	2160

Adjustment Date: 07/19/2007  
 INTERFEE: 00000100  
 CR: 160.00  
 03/13/2007  
 FC: 1255  
 01

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>2160</b>

# Electronic Patent Application Fee Transmittal

Application Number:	10736037			
Filing Date:	15-Dec-2003			
Title of Invention:	Edible spread composition and packaged product			
First Named Inventor/Applicant Name:	Carrie Melinda Kincaid			
Filer:	NADA J. ARDELEANU/Tracy Ibarra			
Attorney Docket Number:	77005			
Filed as Large Entity				
<b>Utility Filing Fees</b>				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent-Appeals-and-Interference:</b>				
<b>Post-Allowance-and-Post-Issuance:</b>				
<b>Extension-of-Time:</b>				
Extension - 2 months with \$0 paid	1252	1	450	450

Adjustment date: 07/16/2007  
 INTEFSH 0000133  
 450.00 CR  
 13/13/2007  
 FC:1252  
 1

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
<b>Total in USD (\$)</b>				<b>450</b>